

**CITY COUNCIL  
REGULAR MEETING  
MAY 18, 2017**

The City Council held a regular meeting on Thursday, May 18, 2017 with a quorum present, to wit:

Christopher Fielder	Mayor
Ron Abruzzese	Mayor Pro Tem
Andrea Navarrette	Councilmember, Place 1
Michelle Stephenson	Councilmember, Place 2
Shanan Shepherd	Councilmember, Place 3
Jeff Seiler	Councilmember, Place 5
Troy Hill	Councilmember, Place 6

**ITEM 1.** Mayor Fielder opened the meeting at 7:00 p.m. Councilmember Shepherd provided the invocation and Mayor Fielder led the Pledges of Allegiance.

**ITEM 2.** Roll Call showed a quorum of the Council as being present.

**ITEM 3. STAFF REPORTS.**

City Manager Cagle introduced the new Public Information Officer Mike Neu and asked him to give a brief overview of his background.

**ITEM 4. CITIZENS PUBLIC COMMENT PERIOD.**

Phyllis Hanvey, 2600 Pecan Creek – commented on PUC decision today supporting LOH-1 group regarding Leander to Round Rock 138 KV Transmission Line Project; and read aloud a letter to PUC thanking Commissioners for decision.

**ITEM 5. RECOGNITIONS/PROCLAMATIONS/VISITORS.**

Mayor Fielder recognized Vic Villarreal, former Austin Community College Board Chair.

**CONSENT AGENDA.** Councilmember Navarrette made a motion, seconded by Councilmember Seiler, to approve Consent Agenda Items 6C through 9C. A vote was cast 7 in favor, 0 against.

**ITEM 6C.** Approve minutes for meetings held on May 4, 2017.

**ITEM 7C.** Award Solicitation #S17-039 to MWM Design Group for a professional services contract for the design and construction administration services required for the Mason Creek Greenway Trail Project; and authorize the

City Manager to negotiate an agreement and execute any and all necessary documents.

**ITEM 8C.** Approval of partial release and termination of drainage easement at Crystal Falls Parkway and Mason Ranch, Phase 2, Section 1; and authorize the City Manager to execute any and all necessary documents.

**ITEM 9C.** Approve Dedication and Acceptance of Circle Diamond Subdivision Infrastructure Improvements.

**ITEM 10.** Mayor Fielder opened the Public Hearing at 7:20 p.m. to consider a request of Josh Miksch, P.E. (Jones & Carter) on behalf of Pamela P. Fletcher regarding Zoning Case 16-Z-030, Subdivision Cases 16-CP-008 & 16-PP-022 to amend the current zoning of Interim SFR-1-B (Single-Family Rural) to PUD (Planned Unit Development) with the base zoning districts of SFL-2-A (Single-Family Limited Condo Regime) and LC-2-A (Local Commercial) and to approve the Valley Vista East Concept Plan and Preliminary Plat on two (2) parcels of land approximately 58.675 acres  $\pm$ , more particularly described by Williamson Central Appraisal District Parcels R021710 and R489942; and generally located to the southeast of the intersection of Bradley Ranch Road and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas. Dave Garloch, 450 Bradley Ranch, Leander, Texas asked several questions for clarification. No one spoke in favor or opposition of the request. The public hearing was closed at 7:21 p.m.

Councilmember Seiler made a motion, seconded by Councilmember Shepherd, to approve an Ordinance regarding Zoning Case 16-Z-030 amending the current zoning Interim SFR-1-B (Single-Family Rural) to PUD (Planned Unit Development) with the base zoning districts of SFL-2-A (Single-Family Limited Condo Regime) and LC-2-A (Local Commercial) and approve the Valley Vista East Concept Plan and Preliminary Plat on two (2) parcels of land approximately 58.675 acres  $\pm$ , more particularly described by Williamson Central Appraisal District Parcels R021710 and R489942; and generally located to the southeast of the intersection of Bradley Ranch Road and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas including Planning & Zoning Commission recommendation of the Home Owner's Association to not prohibit accessory structures in the deed restrictions. Discussion followed. A vote was cast 6 for, 1 against (Hill).

**ITEM 11.** Mayor Fielder opened the Public Hearing at 7:29 p.m. to consider a request of Kristen Witbeck regarding Zoning Case 17-Z-010 to amend the current zoning of Interim SFR-1-B (Single-Family Rural) and Interim SFS-2-B (Single-Family Suburban) districts to LC-2-B (Local Commercial) district on two (2) parcels of land approximately 10.2514 acres  $\pm$ , more particularly described by Williamson Central Appraisal District Parcels R031713 and R433340; and located at 80 Mockingbird Hill, Leander, Williamson County, Texas. . No one spoke in favor or opposition of the request. The public hearing was closed at 7:29p.m.

Following a discussion, Councilmember Shepherd made a motion, seconded by Councilmember Navarrette, to approve an Ordinance regarding Zoning Case 17-Z-010

amending the current zoning Interim SFR-1-B (Single-Family Rural) and Interim SFS-2-B (Single-Family Suburban) to LC-2-B (Local Commercial); on two (2) parcels of land approximately 10.2514 acres ±, more particularly described by Williamson Central Appraisal District Parcels R031713 and R433340; and located at 80 Mockingbird Hill, Leander, Williamson County, Texas. A vote was cast 6 for, 1 against (Abruzzese).

**ITEM 12.** Mayor Pro Tem Abruzzese made a motion, seconded by Councilmember Shepherd, to approve Resolution No. 17-013-00 approving a change in the rates of Atmos Energy Corporation, Mid-Tex Division (“Atmos”) as a result of a settlement between Atmos and the Atmos Texas Municipalities (“ATM”) under the rate review mechanism; finding the rates set by the attached tariffs to be just and reasonable; finding that the meeting complied with the Open Meetings Act; declaring an effective date; and requiring delivery of the Resolution to the company and legal counsel. Comments followed. A vote was cast 7 for, 0 against.

*[Mayor Fielder recused himself and left the Council Chambers.]*

**ITEM 13.** Following a discussion, Councilmember Seiler made a motion, seconded by Councilmember Stephenson, to approve Ordinance No.17-037-00 renaming Old 2243 West and portions of Nameless Road to Hero Way West; and providing for related matters. A vote was cast 5 for, 1 against (Hill).

*[Mayor Fielder returned to the dais.]*

**ITEM 14.** Councilmember Navarrette made a motion, seconded by Councilmember Shepherd, to approve a Wastewater Pump and Haul Agreement by and between Deerbrooke Austin, LLC and the City of Leander for the Deerbrooke Subdivision Phase 1, Section 1 and Phase 1, Section 2; providing an effective date; and authorizing the City Manager to execute any and all necessary documents. A vote was cast 7 for, 0 against.

**ITEM 15.** Following a discussion, Councilmember Navarrette made a motion, seconded by Councilmember Stephenson, to approve Ordinance No. 17-038-00 adopting a User Fees Policy Fees and Revenue Plan that establishes policies and fees related to the use of city parks and recreational facilities, the golf course, the library, and participation in city-sponsored events and programs; amending sections of Appendix A of the Code of Ordinances to remove fees that set forth in the user fee policy; providing for severability, an open meeting clause, an effective date; and providing for related matters. A vote was cast 7 for, 0 against.

**ITEM 16.** Councilmember Seiler made a motion, seconded by Councilmember Navarrette, to approve the modified License Agreement, License Agreement File # 17-LA-00, by and between the City of Leander and Meritage Homes of Texas, LLC for the purpose to construct, place, and install the Water Line on the portion of that certain tract or parcel of land being a 0.336-acre tract of land, and being a portion of Lot 87, Block B, Stewart Crossing Phase 1, located in Leander, Williamson County, Texas; authorize the Licensee to install the water line as shown in the approved construction plans for Stewart

Crossing, Phase 2; and authorize the City Manager to execute any and all necessary documents. A vote was cast 7 for, 0 against.

**ITEM 17.** Following a discussion, Councilmember Seiler made a motion, seconded by Councilmember Shepherd, to approve Ordinance No. 17-039-00 amending provisions governing grants and economic incentive agreements under the Old Town Development Incentives Program; providing effective date and open meetings clauses, and providing for related matters. Discussion followed. A vote was cast 7 for, 0 against.

**ITEM 18.** Councilmember Navarrette, made a motion, seconded by Councilmember Stephenson, to award a Chapter 380 Economic Development Old Town Incentives Program grant to Texas Office Machines in the amount of Thirty-Five Thousand Dollars (\$35,000.00); authorizing the City Manager to execute any and all necessary documents. A vote was cast 7 for, 0 against.

**ITEM 19.** Mayor Pro Tem Abruzzese made a motion, seconded by Councilmember Stephenson, to approve Change Order No. 1 to the construction contract with Landmark Structures I, LP for the Kauffman Loop Elevated Storage Tank in the amount of Seventy-Three Thousand Seven Hundred Seventy-Seven Dollars (\$73,777.00). A vote was cast 7 for, 0 against.

**ITEM 20.** Received water and use supply update for the month of April 2017.

**ITEM 21. COUNCILMEMBER CLOSING STATEMENTS.**

Andrea Navarrette – commented on Old Town Festival being held this weekend; event includes a 5k run, vendors and music with Rick Trevino playing Saturday night; and pray for no rain.

Michelle Stephenson – commented on recent flag ceremony held at the police station; Chief Minton was presented with a flag that had flown over Camp Wetherbee; the melding of police and military; the event was very heartwarming; and thanked everyone who attended.

Ron Abruzzese – commented BCRUA General Manager Tom Gallier has submitted his resignation effective the end of December; Board will be looking for replacement in the coming months; and Mr. Gallier has agreed to assist in the transition.

Troy Hill – commented on recent violence against police officers; thanked them for all they do to protect us from harm; and from keeping a bad situation from becoming worse.

**ITEM 22.** The City Council recessed into Executive Session at 8:10 p.m. pursuant to (a) Section 551.071, Texas Local Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding legislation being considered during the 85<sup>th</sup> Texas Legislative Session affecting municipalities; (b) Section 551.071, Texas Local Government Code, and Section 1.05,

Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding application of LCRA Transmission Services Corporation to Amend its Certificate of Convenience and Necessity for the Proposed Leander to Round Rock 138 KV Transmission Line Project in Williamson County, Texas, before the State Office of Administrative Hearings (SOAH Docket No. 473-16-4342; PUC Docket No. 45866); and (c) Section 551.072, Texas Local Government Code, to deliberate the acquisition of land in the amount of Twenty Thousand Seven Hundred Fifty-Five Dollars and Thirty-Three Cents (\$20,755.33) for County Road 290.

**ITEM 23.** The City Council reconvened into open session at 8:36 p.m. No action was taken as a result of the Executive Session for Items (a) and (b). Item (c) Mayor Pro Tem made a motion, seconded by Councilmember Navarrette, to approve the acquisition of land in the amount of Twenty Thousand Seven Hundred Fifty-Five Dollars and Thirty-Three Cents (\$20,755.33) for County Road 290; and authorize the City Manager to enter into a contract and execute any and all necessary documents. A vote was cast 7 for, 0 against.

**ITEM 24.** The meeting adjourned at 8:36 p.m.

APPROVED:

  
MAYOR

ATTEST:

  
CITY SECRETARY

